

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NURSAN METALURJI ENDUSTRISI, A.S.,

Plaintiff,

Case No.: 07 CIV 7687 (GBD)

-against-

M/V "TORM GERTRUD" her engines, tackle,
boilers, etc. *in rem*, M/V "NEW FLAME" her engines,
tackle, boilers, etc. *in rem*,
A/S DAMPSKIBSSELSKABET TORM, TRANSMAR
SHIPPING CO. S.A., GLADIATOR NAVIGATION S.A.,
in personam,

DECLARATION OF
JAMES F. SWEENEY

Defendants.

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JAMES F. SWEENEY declares as follows:

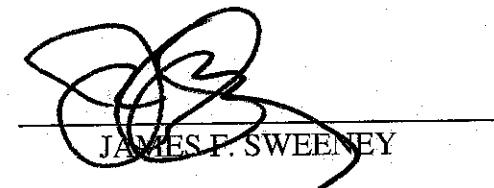
1. I am an attorney at law, duly admitted to practice in this Honorable Court and am a member of the firm of NICOLETTI HORNIG & SWEENEY, attorneys for defendants A/S DAMPSKIBSSELSKABET TORM and the M.T. TORM GERTRUD *in rem* (collectively "Torm").
2. I make this Declaration in support of Torm's motion to dismiss for lack of *in personam* jurisdiction and/or for *forum non conveniens*.
3. Attached hereto as Exhibit A is a true and correct copy of the Government of Gibraltar's 21 August 2007 Press Release.
4. Attached hereto as Exhibit B is a true and correct copy of the Government of Gibraltar's 14 September 2007 Press Release.
5. Attached hereto as Exhibit C is a true and correct copy of the "Vessel Entrance or Clearance Statement" for the M/V NEW FLAME.

6. Attached hereto as Exhibit D is a true and correct copy of the Judicial Caseload Profile Report for U.S. District Court for the Southern District of New York, available at <http://www.uscourts.gov/cgi-bin/cmsd2006.pl>.

7. For further information concerning the subject casualty, please see http://en.wikipedia.org/wiki/M/V_New_Flame.

Pursuant to 28 U.S.C § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on 7 December 2007
New York, New York



JAMES F. SWEENEY